

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES DAUGHERTY and ALISON
DAUGHERTY,

Plaintiffs,

v.

JOHNSON & JOHNSON ET AL,

Defendants.

Case No. 19-cv-02354-SK

ORDER TO SHOW CAUSE

Regarding Docket No. 4

On April 30, 2019, Defendants removed this action from Alameda County Superior Court. (Dkt. 1.) The same day, Defendants filed a notice informing the Court of the pendency of two actions: a chapter 11 bankruptcy, *In re Imerys Talc America, Inc., et al.*, Case No. 2:19-10289-LSS (Bankr. D. Del.), and a proceeding to fix venue for claims related to the bankruptcy, *In re Imerys Talc America, Inc., et al.*, Case No. 1:19-mc-00103-UNA (D. Del.). (Dkt. 4.) Defendants argue that the instant matter should be stayed while its motion to fix venue before the United States District Court for the District of Delaware is pending because the claims at issue here are related to the *Imerys* bankruptcy. (*Id.*) If Defendants wish the Court to impose a stay, they must demonstrate that they are entitled to such relief.

The Court therefore ORDERS Defendants to Show Cause in writing why this action should be stayed no later than June 3, 2019. In their response to this OSC, Defendants shall address how they are related to the debtors in the *Imerys* bankruptcy and how Plaintiffs' claims against them are related to the *Imerys* bankruptcy. Moreover, Defendants should clarify whether they are arguing that Plaintiffs' claims are automatically stayed pursuant to the *Imerys* bankruptcy

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proceeding and if not, on what grounds do they seek a stay. Plaintiff may file a response by no later than June 24, 2019.

IT IS SO ORDERED.

Dated: May 1, 2019



SALLIE KIM
United States Magistrate Judge